

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
April 14, 2004  
MAG Office Building - Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Prisila Ferreira for Terry Ellis, Peoria, Chair	Horatio Skeete, Litchfield Park
Mike Hutchinson, Vice Chair, Mesa	Tom Martinsen, Paradise Valley
+ George Hoffman, Apache Junction	Frank Fairbanks, Phoenix
Todd Hileman, Avondale	# Cynthia Seelhammer, Queen Creek
* Joe Blanton, Buckeye	* Bryan Meyers, Salt River Pima-Maricopa
* Jon Pearson, Carefree	Indian Community
* Usama Abujbarah, Cave Creek	Peggy Carpenter for Jan Dolan, Scottsdale
Mark Pentz, Chandler	Jim Rumpeltes, Surprise
B.J. Cornwall, El Mirage	Will Manley, Tempe
# Tim Pickering, Fountain Hills	Ralph Velez, Tolleson
+ Lynn Farmer, Gila Bend	Shane Dille, Wickenburg
Urban Giff, Gila River Indian Community	Mark Fooks, Youngtown
George Pettit, Gilbert	Dale Buskirk for Victor Mendez, ADOT
Ed Beasley, Glendale	Mike Ellegood for David Smith,
Stephen Cleveland, Goodyear	Maricopa County
Tom Morales, Guadalupe	Ken Driggs, Valley Metro/RPTA

\* Those members neither present nor represented by proxy.

# Participated by telephone conference call.

+ Participated by videoconference call.

1. Call to Order

The meeting was called to order by Vice Chair Mike Hutchinson, at 12:05 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Vice Chair Hutchinson announced that Tim Pickering and Cynthia Seelhammer were attending the meeting via telephone conference call and George Hoffman and the new Gila Bend Town Manager, Lynn Farmer, were attending via videoconference call. Vice Chair Hutchinson stated that transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage. Vice Chair Hutchinson stated that material for agenda items #7, #8, and #9 was at each place.

### 3. Call to the Audience

Vice Chair Hutchinson stated that Call to the Audience provides an opportunity to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Vice Chair Hutchinson noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations. When two minutes have elapsed, a yellow light will come on notifying the speaker that they have one minute to sum up. At the end of the three minute time period, a red light will come on. Vice Chair Hutchinson stated that for members of the audience who wish to speak, comment cards are available from the staff.

Vice Chair Hutchinson recognized public comment from Diane Barker, who noted upcoming MAG meetings. Ms. Barker said that a pamphlet was being handed out that was about not wasting money on trolleys because they are not in compliance with ISTEA, will increase traffic congestion, are dangerous at their at-grade crossings, and cost more than the farebox will return. Ms. Barker stated that ATC Vancom paying \$20,000 in copying costs to promote services is fraudulent. Vice Chair Hutchinson thanked Ms. Barker for her comments.

Vice Chair Hutchinson recognized public comment from Blue Crowley, who said that the Management Committee is the conscience of MAG. He reported that the state representative at CTOC indicated that the rural areas were unimportant in the state plan. Mr. Crowley encouraged members of rural areas to get in touch with their CTOC representative to find out why they are not important. Mr. Crowley stated that the light rail system should be built in the same right-of-way as freeways, but he has been told it is too expensive. He stated that the system should be done right the first time or not done at all. Mr. Crowley commented that all light rail stops will be sheltered. He said that more than 50 percent of bus stops are under industry standards and he felt it wrong to take care of the new projects before taking care of the old. Vice Chair Hutchinson thanked Mr. Crowley for his comments.

### 4. Executive Director's Report

Dennis Smith stated that the current transportation reauthorization legislation does not include the PM-10 particulate standard in the Congestion Mitigation and Air Quality Improvement (CMAQ) funding allocation formula. He noted that it is anticipated that the Conference Committee will meet the week of April 19th. Mr. Smith stated that Congressman Hayworth sent a letter of support for including PM-10, which was also signed by California, Nevada, Utah, and Washington. In addition, Mayor Wendy Feldman-Kerr, Chair of the MAG Regional Council, sent a letter to Senator Jon Kyl requesting assistance in adding PM-10 to the CMAQ allocation formula.

Mr. Smith stated that on April 15th, EPA will notify states on the new nonattainment ozone boundaries for the eight-hour ozone standard. He noted an article in the April 14th Arizona Republic, EPA officials indicated the boundary will include the urbanized area of Maricopa

County, including New River and extending almost to Wickenburg, parts of northern Pinal County, including Apache Junction and developing areas south of the city.

Mr. Smith updated the committee on the MAG Compensation Study. He stated that a staff member of Peoria and a staff member of Mesa have participated in an advisory role in the development of the study. Mr. Smith stated that a list of comparative agencies was provided to the consultant. A mid-point meeting is scheduled for today to discuss the progress of the study, after which it will be discussed with the Executive Committee at their meeting on April 19th.

Mr. Smith stated that the Desert Peaks Awards evening will be held June 23, 2004 at the Arizona Club. He stated that 35 nominations have been received. Mr. Smith reported that an eight-member panel will meet on May 19, 2004 to judge the awards. He stated that \$8,000 in sponsorships have been received from Arizona Public Service, Salt River Project, Associated General Contractors, Mariscal Weeks, The Arizona Republic, the Bank of America, Kimley Horn & Associates; and Blue Cross/Blue Shield of Arizona. Mr. Smith stated that a special award, the Summit Award, will be presented for the transportation effort.

Mr. Smith stated that MAG with Valley Metro hosted a booth at Sunday on Central on March 21st.

Mr. Smith announced that the annual Walk to End Domestic Violence is scheduled for April 24th. He stated that brochures were available at the meeting.

Mr. Smith introduced new MAG staff. Tracy Graves, Assistant Accountant, replaced an employee who was promoted within the organization. Ms. Graves previously worked as a bookkeeper, property manager and as a Supervisory Accounting Technician for Defense Finance Accounting Service at Cannon Air Force Base in New Mexico. Mr. Smith introduced Amy St. Peter, Human Services Planner, who will be working on homeless and domestic violence issues. Ms. St. Peter graduated from Loyola College with a Bachelor's degree in sociology and writing and is currently working on her MPA at ASU. She previously worked as a Community Relations Director for Labor's Community Service Agency, and a Case Manager for Central Arizona Shelter Service. Vice Chair Hutchinson thanked Mr. Smith for his report.

##### 5. Approval of Consent Agenda

Vice Chair Hutchinson stated that public comment will be received before taking action on the consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the Committee can request that an item be removed from the consent agenda and considered individually. Vice Chair Hutchinson stated that agenda items #5A through #5D were on the consent agenda.

Vice Chair Hutchinson recognized public comment from Ms. Barker, who stated that she wanted to ensure that MAG was adhering to Arizona conformity requirements under agenda item #5D. She noted that the material states the projects are exempt because of enhancement activities and sometimes there are exemptions because of historic buildings in the area. Ms. Barker said she agreed that the CMAQ formula should include PM-10 for this region as stated in the letter

written by Mayor Feldman-Kerr. She brought up that many citizen complaints about pollution were received when copper wire was installed in Phoenix in 2000. Ms. Barker commented that this is the same area where light rail will be built. She encouraged MAG to make sure that what it does protects the public. Vice Chair Hutchinson thanked Ms. Barker for her comments.

Vice Chair Hutchinson recognized public comment from Mr. Crowley, who asked for clearer information on the location of the 19th Avenue bridge in agenda item #5D. Mr. Crowley stated that he had a problem with pedestrian design not being done at the same time that highway projects are designed. Mr. Crowley commented that MAG is worried about conformity because of Pinal County, but Peoria extends into Yavapai County. Instead of seeing how small you can do it, do it right. Mr. Crowley commented on the causes for Brown Cloud, whether organic or inorganic. Mr. Crowley commented that he wants a tunnel, not a bridge. He urged looking at the whole region and where growth is occurring, and including bike and pedestrian accommodations when doing roadway projects. Vice Chair Hutchinson thanked Mr. Crowley for his comments.

Mr. Cleveland moved to recommend approval of consent agenda items #5A, #5B, #5C, and #5D. Mr. Dille seconded, and the motion carried unanimously.

5A. Approval of March 10, 2004 Meeting Minutes

The Management Committee, by consent, approved the March 10, 2004 meeting minutes.

5B. Project and Consultant Approvals for the MAG Pedestrian Design Assistance Program

The Management Committee, by consent, recommended approval to select those on the attached list as on-call consultants to provide pedestrian design assistance and to select the following projects to receive the pedestrian design assistance: 1) City of Goodyear Pedestrian Bridge – \$40,000 and 2) City of Phoenix Central Laveen Commercial District Watercourse Demonstration Project – \$80,000. MAG is providing \$200,000 in Congestion Mitigation and Air Quality funding for the Pedestrian Design Assistance Program. MAG member agencies were requested to submit projects in February 2004 to receive the design assistance. On March 9, 2004, the MAG Pedestrian Working Group recommended that nine consultants be included on the on-call list as attached and that the following receive design assistance: 1) City of Goodyear Pedestrian Bridge - \$40,000 and 2) City of Phoenix Central Laveen Commercial District Watercourse Demonstration Project - \$80,000. The Transportation Review Committee concurred with the Pedestrian Working Group recommendations.

5C. Amendment to the FY 2004-2007 MAG Transportation Improvement Program for ADOT and Phoenix Highway Projects

The Management Committee, by consent, recommended an amendment to the 2004-2007 MAG TIP to: make changes to the Rubberized Asphalt (Quiet Pavement) Pilot Program; add a locally funded bridge replacement project in Phoenix with \$2,000,000; and add two Enhancement Funded projects in the Phoenix for a combined \$1,000,000. The FY 2004-2007 MAG Transportation Improvement Program (TIP) was approved by the Regional Council on

November 25, 2003. Since that time, ADOT and the City of Phoenix have requested changes and additions to projects currently shown in the TIP, which include restructuring the Rubberized Asphalt (Quiet Pavement) Pilot Program; adding a locally funded bridge replacement project in Phoenix in FY 2004; and adding two Enhancement Funded projects in Phoenix in FY 2005. All of the changes are regarded as exempt projects or are regarded as minor project revisions for which no air quality conformity is required and the consultation for this item is considered as a separate agenda item. The Transportation Review Committee recommended approval of a TIP amendment for these projects.

5D. Conformity Consultation

MAG is conducting consultation on a conformity assessment for an amendment to the FY 2004-2007 MAG Transportation Improvement Program. The City of Phoenix is requesting to add a 19<sup>th</sup> Avenue and Grand Canal bridge replacement project and add two transportation enhancement projects. In addition, the Arizona Department of Transportation is requesting to restructure the Rubberized Asphalt (Quiet Pavement) Pilot Program. These projects are considered as exempt and as minor project revisions. This item was on the agenda for consultation.

6. Annual Report on the MAG Regional Freeway Program

Eric Anderson presented the Annual Report on the status of the MAG Regional Freeway Program. He stated that this is the 13th year MAG has produced the Report, which is a statutory responsibility and provides oversight of the regional freeway program. Mr. Anderson said that the Program will be completed in 2007, at which time 138 miles of freeway will have opened. He reported on projects being constructed in the past year. Mr. Anderson summarized the revenues from the Regional Area Road Fund and the Highway Users Revenue Fund. He reported that the average cost per freeway mile is approximately \$39 million, which includes design, right-of-way, and construction costs. Mr. Anderson stated that the Regional Freeway Program is in fiscal balance and has met the construction schedules. Mr. Anderson mentioned that if the election for the extension of the half-cent sales tax for transportation is successful, the Life Cycle Program for highways will be extended to other modes, and the responsibilities of the Citizens Transportation Oversight Committee will expand to all modes. Mr. Anderson stated that the Annual Report will be presented at a joint public meeting at 3:30 p.m. on April 21, 2004 with officials from MAG, the State Transportation Board, and Valley Metro. Vice Chair Hutchinson thanked Mr. Anderson for his report and asked if there were questions.

Mr. Cleveland requested that members be provided copies of the material in Mr. Anderson's presentation. Mr. Anderson replied that he would email the material to members.

Mr. Fairbanks requested clarification of the facility referred to in the freeway cost per mile. Mr. Anderson replied that the cost per mile is based on actual costs and the typical section of a freeway is three lanes each way.

7. Legislative Update

Tom Remes provided an update on legislative bills of importance to MAG. He reported that SB 1271 failed to pass the Senate by a vote of 9-20. Mr. Remes noted that this bill would have required lagging left turn arrows for traffic control device systems. He reported that HB 2049 passed the House and the Senate Finance Committee. This bill stipulates that political subdivision entities are eligible to participate in the Arizona State Retirement System (ASRS) and provides a definition of political subdivision entities, such as MAG. Mr. Remes said that a vehicle bill, SB 1229, was created to provide an option for MAG joining ASRS if HB 2049 failed, but now may not be needed. Mr. Remes reported that SB 1341 passed the Senate and is awaiting assignment in the House. This legislation eliminates the exemption for political subdivisions from the requirement to file an affidavit of sale of real property and exempts political subdivisions from paying the real estate transfer fee to the county recorder. Mr. Remes noted that this is the issue presented to the Management Committee by County Assessor Kevin Ross. Mr. Remes concluded by extending his appreciation to the municipal intergovernmental representatives for their assistance on HB 2049. Vice Chair Hutchinson thanked Mr. Remes for his report.

Mr. Smith expressed his appreciation to Representative John Huppenthal, City Manager Tom Martinsen, Chandler Intergovernmental Representative Patrice Kraus, and City of Mesa for their outstanding efforts on HB 2049. He added that a two-thirds vote is still needed on the Senate Floor for passage because of the emergency clause.

8. Community Vital Signs

Debbra Determan reported on Community Vital Signs, which is a partnership between Valley of the Sun United Way and MAG. Through this partnership, a publication was developed that presents selected health and human services data in an organized format. Ms. Determan reviewed the sections and information contained in the publication, which could assist agencies in their strategic planning. She explained that Community Vital Signs uses the MAG mapping capabilities. Ms. Determan acknowledged the sponsorships of The Arizona Republic and American Express. Vice Chair Hutchinson thanked Ms. Determan for her report.

Mr. Dille asked if the maps could be adjusted to show the Towns of Wickenburg and Gila Bend. Ms. Determan replied that the maps could be expanded beyond the insert that is on the right hand corner of the maps.

9. Discussion and Update on the Draft FY 2005 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough stated that the current "MAG Programs in Brief" was at each place. She noted revisions to the Walking and Bicycling in the 21<sup>st</sup> Century conference that result in a cost to MAG of \$2,800. The revisions include additional funding options, changing it to a one-day conference, partnering with ADOT and RPTA, and charging a registration fee of \$80. Ms. Kimbrough stated that the Transportation Safety Management System project has been added to the Work Program. This project is anticipated to be funded by the State, with management

by MAG. Ms. Kimbrough noted that the Information System Strategic Planning-Digital Oasis project was changed from consultant to labor, with the tasks performed in-house. She then stated that there were minor adjustments to line items for a net \$13,500 downward adjustment. This included a capital to non-capital reclassification of \$15,000. Vice Chair Hutchinson thanked Ms. Kimbrough for her report and asked if there were questions.

Mr. Fairbanks commented that the City of Phoenix is in the process of cutting \$7 million from their budget. In this process, he attends community meetings. Mr. Fairbanks noted that at one of these meetings, one citizen attacked funding of MAG by Phoenix as wasteful, spendthrift, and should be cut. Mr. Fairbanks commented that in this environment, it is difficult for Phoenix to pay special assessments. He acknowledged efforts from the special assessments projects are worthwhile, but it would be difficult to fund them from the general fund.

Mr. Smith stated that the Building Codes Committee requested the Building Codes Compilation and Web Addition project. A new special assessment for \$70,000 was included in the Work Program for this project that would compile actions by the committee over the past 30 years and put them in an easily accessible place, such as a Web site. He commented that if the Management Committee indicated a desire to defer this project, its recommendation could be transmitted to the Executive Committee for discussion at its April 19th meeting. Mr. Smith stated that the project would not be put in the draft final Work Program without committee agreement.

Vice Chair Hutchinson asked Mr. Fairbanks if he wanted to make a motion on the project. Mr. Fairbanks replied that making a motion at this time would be premature, as the City was working on identifying non-general funds for the special assessment. Mr. Smith noted that adjustments could be made to the Work Program through May. Ms. Kimbrough added that some changes might be made after the Intermodal Planning Group meeting on May 4 and 5, 2004.

Mr. Cleveland asked staff to provide the consequences of delaying this project for one year.

Vice Chair Hutchinson recognized public comment from Mr. Crowley, who said the Work Program is not extensive enough and does not get the job done. He said that he would like to see an upgrade of the map done in 1995. Mr. Crowley stated that he did not see a unified pedestrian program. He said he would like MAG to work more closely with other MPOs, because the pollution does not stop at county lines. Mr. Crowley stated that CTOC should be responsible for oversight of all transportation at MAG and RPTA, not just freeways. He encouraged voting no on the sales tax extension. Mr. Crowley commented that Representative Jake Flake indicated that it was not his idea that Senate and House leadership would make appointments to the TPC. He said that he needed MAG to plan for the whole area. Spring training needs to be addressed on bus routes and books. Vice Chair Hutchinson thanked Mr. Crowley for his comments.

#### 10. Comments from the Committee

An opportunity was provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate

or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mr. Rumpeltes introduced the new Surprise Assistant City Manager, Kathy Rice, who was formerly the City Manager of Waco, Texas.

There being no further business, the meeting adjourned at 1:06 p.m.

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Chairman

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Secretary